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15 **UNITED STATES DISTRICT COURT**

16 **CENTRAL DISTRICT OF CALIFORNIA**

17 JESSICA AGHAJANIAN, individually
18 and on behalf of all similarly situated
19 persons,

20 Plaintiffs,

21 v.

22 CITIGROUP, INC., a Delaware
23 Corporation; CITIBANK, N.A.; and
24 DOES 1-10, inclusive,

25 Defendants.

Case No.

CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

1 **COMES NOW**, Plaintiff, Jessica Aghajanian (“Plaintiff”) individually and on
2 behalf of all similarly situated persons, and brings this class action against Citigroup,
3 Inc. and Citibank, N.A. (“Defendants”), and states as follows:

4 **JURISDICTION AND VENUE**

5 1. This Court has jurisdiction over this action under 28 U.S.C. §1332(d),
6 because this is a proposed class action in which (i) the matter in controversy exceeds
7 the sum or value of \$5,000,000, exclusive of interest and costs; (ii) members of the
8 proposed Class are citizens of a State different from Defendants; and (iii) the number
9 of Class Members is greater than 100.

10 2. Defendants have sufficient minimum contacts with California and have
11 otherwise intentionally availed themselves of the markets in California through the
12 promotion, marketing, and sale of its products and services, sufficient to render the
13 exercise of jurisdiction by this Court permissible under traditional notions of fair play
14 and substantial justice.

15 3. Venue is proper in this District under 28 U.S.C. §1391(b)(2) and (3)
16 because: (i) a substantial part of the events or omissions giving rise to these claims
17 occurred in this District; (ii) Defendants are subject to the Court’s personal
18 jurisdiction with respect to this action because Defendants conduct business in this
19 judicial district; and (iii) Plaintiffs reside in this judicial district.

20 **PARTIES**

21 4. Plaintiff and those similarly situated, are and at all times mentioned
22 herein, individual citizens and residents of the United States of America, State of
23 California.

24 5. Plaintiff, Jessica Aghajanian is and at all times mentioned herein, an
25 individual residing in the City of Los Angeles, County of Los Angeles, State of
26 California.

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1 6. Defendant, Citigroup, Inc. is a Delaware Corporation, headquartered in
2 New York City.

3 7. Defendant, Citibank, N.A. is a national bank headquartered in New
4 York, New York.

5 **CLASS ACTION ALLEGATIONS**

6 8. Plaintiffs incorporate and re-allege each of the paragraphs above as
7 though fully set forth herein.

8 9. Plaintiffs bring this action on behalf of a Class of individuals who are
9 past, current and future customers of Defendants.

10 10. The Class is numerous, with each member seeking to prevent Defendants
11 from subjecting Armenian Americans or those perceived as such to greater scrutiny
12 than others. Some members of the Class will not be identified until after publication
13 of notice. Accordingly, joinder is impracticable.

14 11. Questions of law and/or fact predominate among all members of the
15 Class in that any legal and/or factual issues relating to the rights of Plaintiffs as
16 individuals will be equally applicable to any and all Class members. The allegations
17 are class-wide: Plaintiffs were denied the same basic civil rights afforded to white
18 citizens under 42 U.S.C. §1981 and §1982; and discriminated against based on their
19 race.

20 12. Plaintiffs' claims are typical of the claims of the other members of the
21 Class because (i) they are identically situated as customers of Defendants; (ii) they
22 are all of, or perceived to be of, Armenian origin; (iii) they all have or may be
23 discriminated against because of their race, religion, or national origin, or perception
24 thereof; and (iv) they are all seeking protection from the same discriminatorily
25 subjective application of Defendants' policies, practices, or procedures.

26 13. Plaintiff will fairly and adequately represent the interests of the Class
27 because: (i) she understands her duties and is willing to represent the proposed class;
28

1 (ii) she has every incentive to pursue this action to a successful conclusion; (iii) her
2 interests are not in any way antagonistic to those of the other class members; and (iv)
3 she has engaged qualified counsel to represent her.

4 14. The maintenance of a class action is superior to other available methods
5 of adjudication in promoting the convenient administration of justice because, inter
6 alia:

- 7 a. the prosecution of separate actions would create a risk of inconsistent or
8 varying adjudications with respect to individual members of the class
9 that would confront Defendants with incompatible standards of conduct;
10 b. the prosecution of separate actions would create a risk of adjudications
11 with respect to individual members of the class that would as a practical
12 matter be dispositive of the interests of other members not parties to the
13 adjudications or substantially impair or impede their ability to protect
14 their interests;
15 c. final declaratory and equitable relief is appropriate with respect to the
16 class;
17 d. the action will be manageable as a class action;
18 e. in view of the complexity of the issues and the expense of litigation the
19 separate claims of individual class members are insufficient in amount
20 to support separate actions;
21 f. it is probable that the amount which may be recovered by individual class
22 members will be large enough in relation to the expense and effort of
23 administering the action to justify a class action; and
24 g. individual class members do not have a significant interest in controlling
25 the prosecution or defense of separate actions.

26 15. The Plaintiff Class is proper for certification under Federal Rules of Civil
27 Procedure 23.
28

FACTUAL ALLEGATIONS

16. Plaintiffs incorporate and re-allege each of the paragraphs above as though fully set forth herein.

17. Plaintiffs are former and/or current customers of Defendants.

18. Plaintiffs are Armenian Americans, or perceived as Armenian Americans. Stated another way, Plaintiffs are Armenian Americans majority of whose last names end in “yan” or “ian”.

19. Defendant Citigroup, Inc. is a multinational investment bank and financial services corporation incorporated in Delaware and headquartered in New York City.

20. Defendant, Citibank, N.A. is a national bank headquartered in New York, New York.

21. From at least 2015 to the present, Defendants intentionally discriminated against Armenian Americans when they applied for credit cards by internally profiling Armenian Americans to be more likely to commit fraud. Defendants referred to applicants as “bad guys” or affiliated with organized crime.

22. It was Defendants’ pattern or practice to apply extra scrutiny to, negatively assess, and often deny certain credit card applications based on Armenian national origin.

23. On or about November 8, 2023, the Consumer Financial Protection Bureau (“CFPB”) found that Defendants’ employees were trained to avoid approving applications with last names ending in “yan” or “ian”, the most common suffix to Armenian last names, as well applications that originated in Glendale, California, where roughly 15% of the country’s Armenian American population lives. (Attached hereto as “**Exhibit A**” is a true and correct copy of the Consent Order of the CFPB of November 8, 2023 incorporated herein in its entirety by reference.)

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1 24. Defendants used “yan” or “ian” identification to broadly discriminate
2 against Armenian Americans in general.

3 25. Defendants singled out applications that had Armenian last names, but
4 then concealed the real reason on why those applications were denied. Defendants
5 determined the Plaintiff Class to be more likely to commit fraud and referred to them
6 as “bust outs” because Defendants perceived them as likely to incur significant
7 charges and then “bust out,” meaning they would leave the country or otherwise not
8 pay off the charges.

9 26. Defendants referred to these applicants as “Armenian bad guys” or the
10 “Southern California Armenian Mafia.”

11 27. Defendants denied new credit and/or credit line increases on existing
12 credit cards, closed savings and/or checking accounts, closed credit card and/or lines
13 of credit accounts, decreased and/or lowered credit card limits, decreased and/or
14 lowered lines of credit limits, denied residential and/or commercial property
15 mortgages and denied personal and/or business loan applications, among other
16 discriminatory acts based on the Plaintiff Class’ Armenian national origin.

17 28. Defendants more frequently engaged in such denials based on Armenian
18 national origin, as compared to other similarly situated applicants. Defendants’
19 pattern and/or practice is not explained by a legitimate, non-discriminatory reason.

20 29. Defendants stereotyped the Plaintiff Class as prone to crime and fraud.
21 In reality, Defendants illegally fabricated documents to cover up its discrimination.

22 30. Defendants’ pattern and/or practice of discrimination affected the
23 Plaintiff Class.

24 31. Defendants knew it was running afoul of bank laws that prohibit
25 discrimination against national origin, and kept any decisions off recorded phone lines
26 or writing it down.

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COUNT I

VIOLATION OF 42 U.S.C. §1981

32. Plaintiffs incorporate and re-allege each of the paragraphs above as though fully set forth herein.

33. 42 U.S.C. §1981 provides:

(a) Statement of equal rights

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

(b) “Make and enforce contracts” defined

For purposes of this section, the term “make and enforce contracts” includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.

(c) Protection against impairment

The rights protected by this section are protected against impairment by nongovernmental discrimination and impairment under color of State law.

34. Defendants had knowledge that the Plaintiff Class is Armenian and/or Defendants perceived the Plaintiff Class and other similarly situated individuals as such.

35. Defendants received complaints and inquiries from many members of the Plaintiff Class relating to discriminatory practices in committing the acts herein alleged. Defendants knew or should have known of the disproportionate affect its actions had on members of the Plaintiff Class.

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1 36. Defendants' customers of Armenian national origin or perceived as of
2 Armenian national descent are subject to greater scrutiny than non-Armenians, as
3 demonstrated the denials hereinabove alleged and must overcome a suspicion that
4 they are "Armenian bad guys" or members of the "Southern California Armenian
5 Mafia."

6 37. Defendants' actual reason in engaging in such hereinabove alleged
7 conduct is believed to be because the Plaintiff Class members are of Armenian
8 national origin.

9 38. In other words, Defendants would not have engaged in the hereinabove
10 alleged conduct involving denials with non-Armenians who have account histories
11 similar to members of the Plaintiff Class. Since the findings of the CFPB incorporated
12 herein with the Consent Order attached hereto as "Exhibit A", only members of the
13 Plaintiff Class described and no others outside of the class have come forward with a
14 similar complaint.

15 39. Defendants had an intent and/or effect to discriminate on the basis of the
16 Plaintiff Class, and other individuals similarly situated, race, ethnicity or religious
17 affiliation, as outline in the paragraphs above.

18 40. The discrimination by Defendants concerned the Plaintiff Class'
19 activities listed in §1981, above.

20 41. Further, Defendants had a duty to conduct its business in a fair and equal
21 manner, regardless of national origin, ethnicity, or religion. Defendants failed to
22 conduct its business in a fair and equal manner which prejudiced the Plaintiff Class
23 who are a protected class under the federal discrimination rules and practices.

24 42. Defendants infringed upon the Plaintiff Class' rights under 42 U.S.C.
25 1981.

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1 WHEREFORE, Plaintiff JESSICA AGHAJANIAN respectfully requests, on
2 behalf of herself and the members of the Class as defined herein, the following relief:

- 3 A. Certification of this action as a class action pursuant to Fed. R. Civ. P. 23(c);
4 B. Money damages in whatever amount in excess of \$75,000.00 Plaintiff
5 JESSICA AGHAJANIAN and other Class members are found to be entitled;
6 C. Reasonable attorney fees, costs and expenses incurred in connection with this
7 suit;
8 D. Pre and post-judgment interest;
9 E. A Temporary Restraining Order under Fed. R. Civ. P. 65(b) prohibiting
10 Defendant from closing the accounts or decreasing the limits of Plaintiff
11 JESSICA AGHAJANIAN and other Class members for discriminatory
12 reasons;
13 F. An amount of exemplary and punitive damages that the Court deems proper;
14 and
15 G. Such other and further relief as this Court may deem necessary or appropriate.

16 **COUNT II**

17 **VIOLATION OF 42 U.S.C. 1982**

18 43. Plaintiffs incorporate and re-allege each of the paragraphs above as
19 though fully set forth herein.

20 44. 42 U.S.C. §1981 provides:

21
22 All citizens of the United States shall have the same right, in every State
23 and Territory, as is enjoyed by white citizens thereof to inherit, purchase,
24 lease, sell, hold, and convey real and personal property.

25 45. Defendants had knowledge that the Plaintiff Class is Armenian and/or
26 Defendants perceived the Plaintiff Class and other similarly situated individuals as
27 such.

28 46. Defendants received complaints and inquiries from many members of

1 the Plaintiff Class relating to discriminatory practices in committing the acts herein
2 alleged. Defendants knew or should have known of the disproportionate affect its
3 actions had on members of the Plaintiff Class.

4 47. Defendants' customers of Armenian national origin or perceived as of
5 Armenian national descent are subject to greater scrutiny than non-Armenians, as
6 demonstrated the denials hereinabove alleged and must overcome a suspicion that
7 they are "Armenian bad guys" or members of the "Southern California Armenian
8 Mafia."

9 48. Defendants' actual reason in engaging in such hereinabove alleged
10 conduct is believed to be because the Plaintiff Class members are of Armenian
11 national origin.

12 49. In other words, Defendants would not have engaged in the hereinabove
13 alleged conduct involving denials with non-Armenians who have account histories
14 similar to members of the Plaintiff Class. Since the findings of the CFPB incorporated
15 herein with the Consent Order attached hereto as "Exhibit A", only members of the
16 Plaintiff Class described and no others outside of the class have come forward with a
17 similar complaint.

18 50. Defendants had an intent and/or effect to discriminate on the basis of the
19 Plaintiff Class, and other individuals similarly situated, race, ethnicity or religious
20 affiliation, as outline in the paragraphs above.

21 51. The discrimination by Defendants concerned the Plaintiff Class'
22 activities listed in §1981, above.

23 52. Further, Defendants had a duty to conduct its business in a fair and equal
24 manner, regardless of national origin, ethnicity, or religion. Defendants failed to
25 conduct its business in a fair and equal manner which prejudiced the Plaintiff Class
26 who are a protected class under the federal discrimination rules and practices.
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53. Defendants infringed upon the Plaintiff Class' rights under 42 U.S.C. 1982.

WHEREFORE, Plaintiff JESSICA AGHAJANIAN respectfully requests, on behalf of herself and the members of the Class as defined herein, the following relief:

- A. Certification of this action as a class action pursuant to Fed. R. Civ. P. 23(c);
- B. Money damages in whatever amount in excess of \$75,000.00 Plaintiff JESSICA AGHAJANIAN and other Class members are found to be entitled;
- C. Reasonable attorney fees, costs and expenses incurred in connection with this suit;
- D. Pre and post-judgment interest;
- E. A Temporary Restraining Order under Fed. R. Civ. P. 65(b) prohibiting Defendant from closing the accounts or decreasing the limits of Plaintiff JESSICA AGHAJANIAN and other Class members for discriminatory reasons;
- F. An amount of exemplary and punitive damages that the Court deems proper; and
- G. Such other and further relief as this Court may deem necessary or appropriate.

DEMAND FOR JURY

Plaintiffs hereby request a trial by jury on all counts pursuant to Rule 38 of the Federal Rules of Civil Procedure.

DATED: November 11, 2023

KEOSIAN LAW LLP

By: /s/ Harout Greg Keosian
Harout Greg Keosian, Esq.
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